

Testimony
of
Deputy Assistant Secretary of Defense Robert Scher
Asian and Pacific Security Affairs
Office of the Secretary of Defense

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“Crimes Against Humanity: When Will Indonesia’s Military Be Held Accountable for Deliberate and Systematic Abuses in West Papua?”

Mr. Chairman, thank you for the opportunity to discuss the Indonesian military’s activities in Papua and West Papua. This issue is important to our relationship with Indonesia, and one that we in the Department of Defense are paying very close attention to. I look forward to sustaining an on-going dialogue with you as these dynamics evolve.

Indonesia is a strategically important country to the United States for several reasons. It is the fourth most populous country on the planet, is home to more Muslims than any other country in the world, and stretches more than 3,000 miles across a key maritime transit route that connects the Middle East to East Asia. These have been facts for a long time. However, now we can add another reason that makes Indonesia important to the United States, and

that is that Indonesia is a democracy. In fact, since the fall of Suharto more than ten years ago, Indonesia has taken its place as the world's third largest democracy. In that short time, Indonesia has made great advancements in consolidating its democracy, an important piece of which is progress on both defense reform and military professionalization.

During the past decade, the Indonesian Armed Forces, known by the Indonesian acronym of TNI, have undertaken several critical institutional reforms to help achieve Indonesia's goal of establishing greater civilian control over the military. These reforms include formally removing the military from political affairs, as codified in Indonesian Law 34/2004; establishing a clear delineation between the responsibilities of the civilian police forces and the TNI; and enhancing the authority of the civilian defense minister. While the United States has encouraged and applauded such reforms, it is important to note that the Government of Indonesia undertook them of its own volition, as a reflection of its commitment to democratic values and to playing the role of a responsible leader in Southeast Asia. It is particularly notable that these reforms have taken place so shortly after Indonesia's transition from autocratic rule.

In addition to consolidating greater civilian authorities, the TNI also continues to shift its mission away from internal security, which is increasingly under the purview of the national police. Instead, in the post-Suharto era, the TNI has chosen to focus on largely regional security issues including maritime security, humanitarian assistance and disaster relief, and peacekeeping. These areas are the focal point of military-to-military cooperation between the United States and Indonesia and the primary mission sets on which U.S. capacity-building efforts are focused. Enhancing the TNI's ability to play a leading role on these issues is not only important for Indonesia's interests, but for U.S. interests as well, as we see Indonesia playing a more prominent role in these missions regionally and globally. This is increasingly critical as the United States faces complex and diverse security challenges in the Asia-Pacific region, challenges that cannot be successfully addressed without the cooperation of strong and responsible partners, such as Indonesia.

For example, given its strategic location surrounding critical sea lines of communication in the Straits of Malacca, Indonesia is a natural partner on maritime security affairs. The government of Indonesia places a strong emphasis on improving Indonesia's maritime security capabilities as it works to secure its vast borders against competing territorial claims, piracy,

and other transnational security threats. National Defense Appropriations Act Section 1206 authority has funded the establishment of an Integrated Maritime Surveillance System in the Strait of Malacca and the Sulawesi Sea. This funding meets key gaps in Indonesia's maritime surveillance and interdiction capabilities, and has helped generate significant reductions in the rates of maritime piracy in recent years. Indonesia reported only 15 incidents of piracy and armed robbery in 2009, down from 121 incidents in 2003. Piracy rates in the Strait of Malacca have likewise dropped dramatically since 2005, with only two attacks reported last year.

Indonesia is also committed to serving as a regional leader in peacekeeping operations, a commitment that is enshrined in the Indonesian constitution. The UN now ranks Indonesia as 18th of the 115 troop- and police-contributing countries. As of May 2010, Indonesia had 1,679 military and police deployed to UN missions in the Congo, Lebanon, Liberia, Nepal, and Sudan. Indonesia has also been a Global Peacekeeping Operations Initiative (GPOI) partner since 2006, and has hosted thirteen GPOI peacekeeping training events. Indonesia's valuable and respected contributions to UN peacekeeping operations are an important reflection of its adherence to, and support of, international norms and standards of military behavior.

DoD has also been working closely with the TNI to help it develop greater capabilities in the areas of humanitarian assistance and disaster relief. Indonesia suffers from numerous natural disasters every year, causing significant loss of life, property, and human suffering. The tremendous loss of life Indonesia suffered in the 2004 tsunami is a particularly stark reminder of the significant security threat that natural disasters pose in Southeast Asia. Improving the TNI's ability to respond to these disasters will not only help Indonesia to mitigate loss of life and devastation within its own borders, but also to play a larger role in disaster response across the region. Indonesia is investing significant capital and effort to increase its capabilities in this area. A key element of our cooperation is focused on improving the TNI's mobility and lift capabilities, with a focus on supporting, sustaining, and improving the Indonesian Air Force's C-130 capacity. To do so, we have established various programs that focus on C-130 aircraft refurbishment, spare parts assistance, maintenance and logistics support, and training.

Another important means of U.S. assistance to Indonesia's military is through International Military Education and Training (IMET) and Foreign Military Financing (FMF) funding. This funding allows the United States to work together with Indonesia on its efforts to establish a more responsible

and professional military. For example, recent funding has provided assistance to the newly established Indonesian Defense University.

Indonesia's civilian and military leadership are both deeply committed to the goal of professionalization and continue to take significant steps to ensure that the military is a force that understands the role of a responsible military in a democratic system. The TNI has made great strides in institutionalizing human rights training for its forces. Recent steps in this effort include the inclusion of human rights seminars in military schooling, working with respected international institutions, including the Norwegian Center for Human Rights, and instituting refresher training prior to deployments. Respect for human rights is now a core feature of TNI doctrine, and all deployed soldiers are required to carry an ICRC booklet explaining the proper treatment of non-combatants.

The Department takes seriously any allegations of human rights abuses committed by Indonesian security forces, no matter where they occur. When we hear of specific abuse allegations, the United States government follows up on them through the appropriate State Department channels. There have been such allegations in Papua and West Papua. However, we have seen no evidence that such incidents are part of a deliberate or systematic campaign by the TNI or Government of Indonesia. In Indonesia, as in all countries, isolated incidents of abuse can, and do, occur despite the best efforts of any military institution. When they do, we urge investigation and accountability, and increasingly Indonesian authorities investigate these allegations on their own accord.

It is also important to note that the Government of Indonesia and the TNI continue to confront ongoing challenges from domestic militants. Several small groups within Indonesia regularly seek to use violence and the media spotlight to gain international attention and support for their desire for an independent country in Papua and West Papua. These groups have caused an upswing in violence over the last year and a half. Notable incidents include seizing the Kapeso airstrip for a month; attacking police stations, outposts, and convoys (killing several police officers); burning government buildings; and attacking and killing civilians (including a string of attacks along the PT Freeport McMoran mine complex that resulted in several deaths). In the same way that we deplore abuse perpetuated by military institutions, we also deplore violence caused by these groups against civilians and government security forces.

While Indonesia's security forces do not have a perfect record, their reforms are moving in the right direction. Earlier this year, the Indonesian Defense Minister issued a public statement addressing the TNI's commitment to protecting human rights, explaining that reforms are in place to prevent future abuses, and expressing the TNI's commitment to holding human rights violators accountable. This statement, and others at lower levels of the Ministry of Defense, is part of an ongoing dialogue between Indonesia and the UNITED STATES Department of Defense on reform and professionalization of the TNI. In addition, the TNI has promised, going forward, to remove from military service any personnel convicted of human rights abuses and to suspend any personnel credibly accused of such crimes.

DoD believes that it is important to build on our successful engagement with the TNI by initiating measured security cooperation with Indonesian Army Special Forces. Secretary Gates was recently in Jakarta and said, "my view is that, particularly if people are making an effort to make progress, that recognizing that effort and working with them further will produce greater gains in human rights for people than simply standing back and shouting at people." Continued engagement and training not only provide the United States access to the TNI's future leaders, but also expose the TNI to U.S. soldiers and officers who uphold respect for human rights and conduct themselves in a professional manner.

Finally, it is important to note that all of these efforts take place within the context of a burgeoning UNITED STATES-Indonesia partnership that stretches across our governments. As Indonesia continues to evolve, strengthen its democracy, and institutionalize its reforms, the United States has increasingly engaged with Indonesia as a partner. Last week, Secretary Clinton and Foreign Minister Natalegawa chaired the inaugural Joint Commission meeting of the Comprehensive Partnership, during which they discussed increased cooperation in six particular areas: democracy and civil society, education, environment, security, energy, and trade and investment.

The United States government's commitment to a robust and wide-ranging partnership with Indonesia is a reflection of our belief that Indonesia is a critical strategic partner and a valuable and responsible leader in the Asia-Pacific region. It is not only our shared interest in Asia's peace and stability that undergirds our partnership, but also our shared commitment to democratic norms and values. The TNI's efforts to institutionalize greater respect for human rights within the Indonesia military are an important part of this commitment. The Government of Indonesia and the TNI have made

substantial progress in this area, and they have given us firm commitments to continue improvements. For our part, the Department of Defense has made clear that respect for human rights is an essential component of professional military behavior.

Secretary Gates clearly reaffirmed our stance on this issue during his visit to Jakarta this July: “Our commitment to human rights and human liberty is as old as our republic. We will never be silent about these issues.”

For this reason, we will continue to treat any allegations of abuse with great seriousness. However, as noted, DoD sees no systematic pattern of abuses by the TNI in Papua and West Papua. Together with our State Department colleagues, we will continue to closely monitor any allegations of human rights abuses and work with the TNI and Indonesian Ministry of Defense towards appropriate investigation and accountability.